

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

NATIONAL COALITION ON BLACK CIVIC
PARTICIPATION, MARY WINTER, GENE
STEINBERG, NANCY HART, SARAH
WOLFF, KAREN SLAVEN, KATE KENNEDY,
EDA DANIEL, and ANDREA SFERES,

Plaintiffs,

-and-

People of the STATE OF NEW YORK, by its
attorney general, LETITIA JAMES, ATTORNEY
GENERAL OF THE STATE OF NEW YORK,

Plaintiff-Intervenor,

v.

JACOB WOHL, JACK BURKMAN, J.M.
BURKMAN & ASSOCIATES, LLC, PROJECT
1599, and JOHN and JANE DOES 1-10,

Defendants.

Civil Action No. 20-cv-8668

**DECLARATION OF MARC P. EPSTEIN IN SUPPORT OF PLAINTIFFS' JOINT
MOTION TO STRIKE AND IN OPPOSITION TO DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT**

I, Marc P. Epstein, declare as follows:

1. I am an active member of the New York Bar and am associated with the Lawyers' Committee for Civil Rights Under Law, counsel for Plaintiffs National Coalition on Black Civic Participation ("NCBCP"), Mary Winter, Gene Steinberg, Nancy Hart, Sarah Wolff, Karen Slaven, Kate Kennedy, Eda Daniel, and Andrea Sferes. I make this declaration based on my personal knowledge.

2. Attached as Exhibit 64 is a true and correct copy of the relevant excerpts from Plaintiff NCBCP's deposition taken on May 25, 2022 ("NCBCP Dep.")

3. Attached as Exhibit 65 is a true and correct copy of the relevant excerpts from Plaintiff Mary Winter's deposition taken on May 9, 2022 ("Winter Dep.").

4. Attached as Exhibit 66 is a true and correct copy of the relevant excerpts from Plaintiff Gene Steinberg's deposition taken on May 9, 2022 ("Steinberg Dep.").

5. Attached as Exhibit 67 is a true and correct copy of the relevant excerpts from Plaintiff Eda Daniel's deposition taken on April 9, 2022 ("Daniel Dep.").

6. Attached as Exhibit 68 is a true and correct copy of the relevant excerpts of Plaintiff Andrea Sferes's deposition taken on April 19, 2022 ("Sferes Dep.").

7. Attached as Exhibit 69 is a true and correct copy of the relevant excerpts of Plaintiff Karen Slaven's deposition, taken on April 8, 2022 ("Slaven Dep.").

8. Attached as Exhibit 70 is a true and correct copy of the relevant excerpts of Plaintiff Kate Kennedy's deposition, taken on April 8, 2022 ("Kennedy Dep.").

9. Attached as Exhibit 71 is a true and correct copy of the relevant excerpts of Plaintiff Sarah Wolff's deposition, taken on May 2, 2022 ("Wolff Dep.").

10. Attached as Exhibit 72 is a true and correct copy of the relevant excerpts of Plaintiff Nancy Hart's deposition, taken on April 10, 2022 ("Hart Dep.").

11. Attached as Exhibit 73 is a true and correct copy of Plaintiff Mary Winter's social media posts dated August 26, 2020, Bates stamped WINTER002-003 ("Winter Social Media Posts").

12. Attached as Exhibit 74 is a true and correct copy of NCBCP's Get Out the Vote ("GOTV") script, Bates stamped NCBCP002.

13. Attached as Exhibit 75 is a true and correct copy of of the relevant excerpts from Jack Burkman's deposition taken on April 25, 2022 ("Burkman Dep.").

14. Attached as Exhibit 76 is a true and correct copy of the relevant excerpts from Jacob Wohl's deposition taken on May 11, 2022 ("Wohl Dep.").

15. Pursuant to Judge Marrero's Individual Practices II.E., I attest that I am familiar with the full contents of the documents attached to this declaration, that I will maintain a copy of the entire documents in my case files until after a final court disposition of the action, and that the excerpts of documents filed with these motion papers are authentic copies of the relevant portions of the documents.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on August 12, 2022

By: /s/ Marc P. Epstein
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